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Committee on the Rights of the Child
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Summary record of the 2140th meeting
Held at the Palais Wilson, Geneva, on Friday, 16 September 2016, at 3 p.m.

Chair: Ms. Winter (Vice-Chair)
later: Mr. Mezmur (Chair)

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In the absence of Mr. Mezmur (Chair), Ms. Winter (Vice-Chair) took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports of States parties (*continued*)

Initial report of New Zealand on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (continued) (CRC/C/OPSC/NZL/1, CRC/C/OPSC/NZL/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of New Zealand took places at the Committee table.*

2. **Ms. Tolley** (New Zealand) said that her delegation would first of all respond to outstanding questions raised at previous meetings.

3. **Mr. Gannon** (New Zealand) said that persons under the age of 18 years were prohibited from participating in armed conflicts, in accordance with section 37 of the Defence Act 1990. Moreover, New Zealand was a member of the Group of Friends on Children and Armed Conflict and had heightened its commitment to the issue of children in armed conflict while serving as a non-permanent member of the United Nations Security Council.

4. In 2012, prosecutions relating to the organization of tours for travelling sex offenders had led to the identification of a travelling sex offender who had sexually assaulted a young girl. In New Zealand, extraterritorial prosecutions were not uncommon and the State party had a special unit that investigated the distribution, possession and production of child pornography, as well as child sex trafficking and travelling sex offenders. In 2001, a New Zealander had been prosecuted for setting up a server in a foreign jurisdiction that transmitted child sexual abuse images and videos for commercial purposes. In another case, a New Zealander who had sexually abused a young girl and recorded the abuse had been prosecuted upon his return home.

5. **Mr. Coster** (New Zealand) said that the Prostitution Reform Act 2003 had not been reviewed since the year it had been enacted. Changing the language used in legislation had significant legal implications in common-law jurisdictions such as New Zealand and, as a result, the language was seldom changed. Nevertheless, Parliament might able review and amend certain laws so that their terminology was more in line with that of the Convention.

6. **Mr. Gannon** (New Zealand) said that the Films, Videos, and Publications Classification Act 1993 did not refer to "child pornography" per se, but rather to "objectionable publications". Terms such as "child pornography" and "child sex tourism" attached a stigma to the children concerned and therefore were deliberately avoided. Objectionable publications included, but were not limited to, materials that promoted or supported the sexual exploitation of children, such as some forms of animation and adults engaging in role play as abused children.

7. **Mr. Coster** (New Zealand) said that aiding and abetting were governed by the Crimes Act 1961, which covered offences contained in other laws. Therefore, a perpetrator could be charged for aiding and abetting, even if a particular law did not explicitly refer to those acts. His delegation would provide the Committee with data requested on certain offences within 48 hours.

8. **Mr. Gannon** (New Zealand) said that the police, customs officials and the Department of Internal Affairs worked closely together to combat the sale of children, child prostitution and child pornography. Officials also worked with NGOs, such as the International Centre for Missing and Exploited Children, civil society organizations, as well

as the private sector and banks in order to identify and report suspicious activities. New Zealand was committed to working with the INTERPOL network and had developed and distributed software that could track, inter alia, travelling sex offenders and persons engaged in the distribution of child pornography.

9. The Department of Internal Affairs was conducting awareness-raising campaigns on the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in schools, particularly during Cyber Safety Week, as well as in religious organizations and in law enforcement agencies, such as border control. Persons who were travelling to countries of concern were encouraged to report any suspicious activities observed abroad and were sometimes monitored if suspected of engaging in the offences described in the Optional Protocol.

10. **Ms. Sandberg** asked whether schools offered mandatory courses on Internet safety and whether such courses were offered to young children.

11. **Ms. Aldoseri** (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) asked how systematic education programmes on Internet safety were.

12. **Mr. Madi** (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) said that legislation must constantly evolve and wished to know why it was difficult to amend national legislation to bring it into line with the Optional Protocol. Using different terms and definitions might cause misunderstandings on the ground. With regard to the dissemination of the Optional Protocol, he said that all persons working with children must receive specific training on the Optional Protocol.

13. **Mr. Coster** (New Zealand) said that some pieces of legislation, such as the Crimes Act, were updated frequently, while others were completely rewritten, if necessary. Acts could be and were amended. Moreover, national legislation on trafficking had recently been amended in order to bring it into line with international guidance. Lastly, the substance, if not the specific terminology, of the Prostitution Reform Act and the Films, Videos, and Publications Classification Act was in line the State party's obligations under the Optional Protocol.

14. **Mr. Gannon** (New Zealand) said that NetSafe provided teaching materials to schools: in some schools, such materials were used for one hour every week; while other schools offered intensive programmes or online safety information sessions for parents. End Child Prostitution, Child Pornography and Child Trafficking for Sexual Purposes (ECPAT) New Zealand also engaged in educational outreach and provided a hotline as well as browser plug-ins that children could use to report suspicious activities confidentially.

15. **Mr. Coster** (New Zealand) said that while the National Plan of Action to Prevent People Trafficking did not include any specific references to children, it was intended to introduce such references in the Plan in 2017. The Plan set out short, medium and long-term goals and responsibilities and provided a consistent and coordinated response to trafficking, in terms of both prevention of trafficking and assistance for victims. The Plan had been established in 2009 and would soon be reviewed by an inter-agency working group. In 2014, charges related to trafficking in persons had been laid for the first time, but children had not been involved in those offences. No cases of child trafficking had been reported to date in New Zealand, although the authorities were aware that it was a destination country.

16. **Mr. Gannon** (New Zealand) said that the Government was working with the United States State Department and the Salvation Army to combat trafficking in persons. Customs officials were monitoring the borders and working with labour officials to prevent child

trafficking and forced labour. The Government was also working with NGOs, such as ECPAT New Zealand.

17. **Mr. Coster** (New Zealand) said that the Social Sector Deputy Chief Executives was a forum responsible for monitoring the State [illegible] implementation of the Convention on the Rights of the Child and that the Ministry [illegible] Social Development was responsible for providing input to that forum.

18. **Ms. Aldoseri** said that she welcomed the efforts made by the State party and asked how the various agencies were coordinated in order to manage the workflow. What were the reporting lines?

19. **Mr. Gannon** (New Zealand) said that memorandums of understanding had been signed between the various agencies involved. For example, there was a victim identification task force that included representatives of the police, the Customs Service and the Department of Internal Affairs. The task force met twice annually to analyse material seized in investigations with a view to identifying the victims. If it was determined that contact offending had been involved, the police would take the lead, while the Department of Internal Affairs would provide support. Each agency had different skills and legal responsibilities, and those were taken into account in the memorandums of understanding. Each agency submitted to the Government a monthly report on the investigations it carried out, so that the Government could see which agencies were playing a supporting role in the investigations and how those investigations were progressing.

20. **Mr. Reaich** (New Zealand) said that issues of extradition and mutual assistance and cooperation were governed by the Extradition Act 1999 and by the Mutual Assistance in Criminal Matters Act 1992 respectively, both of which had recently been reviewed. Following that review, an overhaul in those areas had been recommended. The issue of dual criminality had been raised during the review and would be further studied by the Government. New Zealand law did not require the existence of a treaty for extradition, but it did require dual criminality and stipulated that the offence must be punishable by more than 12 months' imprisonment. All punishments set out in national law for offences covered in the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography did meet that requirement.

21. International cooperation and assistance took place at both the formal and informal levels. Formal cooperation and assistance was governed by the State's mutual assistance legislation, which covered mutual assistance in relation to issues addressed in the Optional Protocol.

22. It was a basic constitutional principle that changes to national law were not automatic upon ratification of a treaty; rather, enabling legislation was enacted when necessary. That legislation aimed to ensure that effect was given to the purpose of the treaty, but it did not always follow the precise wording used in the treaty. New Zealand law did give full effect to all the provisions of the Optional Protocol.

23. **The Chair** asked whether extraterritorial jurisdiction and extradition applied to all offences referred to in the Optional Protocol.

24. **Mr. Gannon** (New Zealand) said that the informal cooperation and assistance New Zealand provided to other countries was in line with the provisions of the Optional Protocol relating to extradition and extraterritorial jurisdiction. The fast pace of current technology meant that law enforcement agencies had to act quickly to protect children from sexual abuse, and informal communication between law enforcement agencies made that possible. There was an online network of more than 160,000 persons seeking to sexually abuse children. To defeat such a network, another network was required. Informal communication among law enforcement agencies was just as important as formal communication.

25. **Mr. Madi** asked whether extraterritorial jurisdiction applied in cases where the victim was a New Zealander located abroad. The Committee was well aware that New Zealand was a dualist country and asked all such countries to enact domestic legislation to incorporate the provisions of the Convention into national law.

26. **The Chair** asked if it was correct that any victim residing in New Zealand was eligible to receive assistance from the State party but that victims who neither resided in New Zealand nor held New Zealand nationality were not eligible.

27. **Mr. Coster** (New Zealand) said that no differentiation was made between residents and non-residents; any victim who was physically present in New Zealand would receive assistance. Victims outside of New Zealand were dealt with on a case-by-case basis, depending on the assistance available from the State in which they were located. In court proceedings, judges could order compensation for any victim, whether they were present in New Zealand or not. Those who resided in the country also had access to financial support for medical treatment through the accident compensation scheme.

28. In cases where the perpetrator resided abroad, prosecution was dependent upon the State of residence having legal provisions that allowed New Zealand to extradite the perpetrator. The dual criminality requirement was logical, as the act must be considered an offence in both States in order for both governments to agree to extradition proceedings.

29. National trafficking law had been amended in November 2015 to bring it fully into line with the Palermo Protocol. The relevant provisions of the Crimes Act had been expanded to cover activities within New Zealand as well as the movement of persons abroad for purposes of exploitation. The definition of exploitation covered a wide range of scenarios and was fully in line with the Palermo Protocol. The penalty for trafficking had been increased to 20 years' imprisonment or a fine of 500,000 New Zealand dollars (NZ$).

30. **Mr. Gannon** (New Zealand) said that protocols were in place to deal with travelling sex offenders, including through risk assessments and border checks by customs officials. His Government also took into account the feedback it received from NGOs on dealing with that problem. In reality, the most concerning issue was not sex offenders who travelled overseas, but rather the exploitation of children online. Sex offenders no longer needed to travel, as the sexual abuse of children was available on demand from anywhere with an Internet connection. Despite the proactive steps being taken in conjunction with the financial sector and NGOs, the digital child abuse industry continued to grow internationally.

31. **Ms. Tolley** (New Zealand) said that a proposed amendment to the Evidence Act 2006 would make it possible for child victims to testify via video. She expected that the amendment would be passed by the end of 2016. In recent years, her Government had made great efforts to redesign its services for victims in consultation with NGOs and various advisers. In 2016, a budget of NZ$ 46 million had been allocated to provide a specific crisis response, with a special focus on child victims.

32. **Mr. Gannon** (New Zealand) said that his Government disseminated information to travel operators on the prevention of sexual abuse and also posted notices online and in airports about how to report such crimes. His Government recognized that there was room for improvement in that area and was willing to learn from the Committee and from best practices in other countries such as Australia about how it might improve those efforts.

33. **Mr. Cardona Llorens** said that, unfortunately, the offences dealt with in the Optional Protocol were not always criminalized in every State. In cases where they were not, that situation prevented the extradition of the perpetrators. He therefore believed that the State party should reconsider its dual criminality requirement for extradition, as other States had already done.

34. **Mr. Gannon** (New Zealand) said that defeating a child pornography network did not always require prosecution; the networks could also be defeated by interrupting their distribution. In some cases, the identity of the victim was not known, and the State where they lived lacked the knowledge or resources to carry out the investigation. For that reason, the relationships established with other law enforcement agencies through organizations such as the Virtual Global Task Force and the Internet Crimes against Children Task Force were very important.

35. With regard to dual criminality, his Government's aim was to influence other countries and encourage them to criminalize the acts covered in the Optional Protocol, thereby making it possible to extradite the perpetrators or even to prosecute within the local jurisdiction.

36. **The Chair** asked how the State party reacted differently to cases of child trafficking compared with cases of the sale of children, on both a legal and practical level.

37. **Mr. Coster** (New Zealand) said that section 98D of the Crimes Act 1961, on trafficking in persons, covered the reception, recruitment, transport, transfer, concealment or harbouring of a person in New Zealand or any other State for the purpose of exploiting or facilitating the exploitation of that person. Provided that an offence involved prostitution or other sexual services, slavery, servitude, forced labour or other forced services, it would fall within the definition of trafficking. The sale of a child would almost certainly be covered by that section. However, the Government was currently unaware of any such activity in or in connection with New Zealand.

38. **Mr. Gannon** (New Zealand) said that, in one recent case, a person had been caught attempting to buy a child by a covert Internet investigator. Current legislation had made it possible for the authorities to prosecute him, even though he had in fact had no intention of carrying out the act. ECPAT had indicated that it had not received any reports of child trafficking in New Zealand. The authorities had been involved in investigations in which children had been offered for sale in other jurisdictions. In one case, a child was being auctioned for US$ 250. The intelligence provided by the authorities of New Zealand had led to the rescue of that child in another country. The prevention of child trafficking required cross-border cooperation.

39. *Mr. Mezmur (Chair) took the Chair.*

Fifth periodic report of New Zealand (continued) (CRC/C/NZL/5; CRC/C/NZL/Q/5 and Add.1)

40. **Ms. Roberts** (New Zealand) said that the provisions of the Children, Young Persons, and Their Families Act 1989 had been reviewed in 2015. Persons with disabilities, including children with disabilities who were in care, had been consulted as part of the review process. The Cabinet was currently considering the resulting recommendations.

41. The provisions for special guardianship orders in the Children, Young Persons, and Their Families (Vulnerable Children) Amendment Act 2014 had come into effect on 1 July 2016. The orders would ensure that guardians were able to provide a stable care placement. The Permanent Caregiver Support Service had been changed to improve the services provided for vulnerable children and caregivers. She was not aware of any services having been withdrawn.

42. **Ms. Sandberg** (Country Task Force) said that she was concerned that the amendment set a high threshold for assistance for caregivers, and that assistance was given on a discretionary basis.

43. **Ms. Roberts** (New Zealand) said that clarification on that point would be provided in writing. Children could be removed from the custody of their families in line with the 10

criteria laid out in section 14 of the Children, Young Persons, and Their Families Act. Children could be removed immediately in line with the five criteria laid out in section 39.

44. **Mr. Wales** (New Zealand) said that partnership schools were relatively new. They were approximately a dozen in number and worked with children who were at risk of not achieving or not engaging. They had the power to determine their own governance structure, were required to report quarterly on the progress made by their students, had greater freedom in terms of how they allocated their funding and were strictly accountable for student outcomes. The latter were measured in terms of achievement, engagement and enrolment or attendance. With regard to achievement, partnership schools at the secondary level were required to meet the Better Public Services target of 85 per cent of students at NCEA Level 2 and those whose students were in Year 1 and Year 2 were assessed against the national standards. The Education Review Office regularly reviewed partnership schools.

45. The criterion-based Ongoing Resourcing Scheme targeted students who were most in need of additional learning support. It currently supported approximately 8,500 students. It was one of approximately 15 or 16 funding categories for the provision of additional learning support. Every year, the Government spent a total of NZ$ 590 million on additional learning support, of which NZ$ 144 million was allocated to the Ongoing Resourcing Scheme.

46. **Ms. Roberts** (New Zealand) said that, although there was in fact no minimum age for admission to employment, there were restrictions on the types of work that persons aged under 18 years could be employed to perform. For example, a child aged under 14 years could not work as a babysitter, a child aged under 15 years could not work in an area in which hazardous goods or substances were manufactured and a child aged under 18 years could not work in a licensed premises.

47. **Ms. Tolley** (New Zealand) said that children aged 16 years or under were required to be enrolled in full-time education, which limited the number of hours that they could work.

48. **Mr. Madi** (Country Task Force) said that, while he was aware that New Zealand was not a party to the International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138), he would be grateful for confirmation as to whether it was a party to the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), which banned the employment of children in hazardous work. Under the State party's domestic legislation, only children aged 15 years or below were banned from employment in hazardous work.

49. **Ms. Roberts** (New Zealand) confirmed that, in New Zealand, it was illegal to employ a child aged 15 years or below in an area in which hazardous goods or substances were manufactured.

50. **Ms. Tolley** (New Zealand) said that the reservation maintained by New Zealand to article 37 (c) of the Convention was based largely on the small number of girls in detention. It should be remembered that persons aged 17 years and over were held in adult prisons, although the Government was currently giving consideration to the matter. In 2015, there had been only one girl held in an adult prison. To hold her separately from women would result in solitary confinement. Cells were not generally shared and, to her knowledge, they were never shared in women's prisons. The girl mentioned had previously had her own cell.

51. She was unable to say for certain that no unaccompanied minors had entered New Zealand. A group of unaccompanied persons had been accepted from Australia, but she was not sure of their ages. Her delegation would provide a written response to that question and to the question on the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

52. **Mr. Tuohy** (New Zealand) said that, while there had been some historic instances of gender assignment, none had been brought to the attention of health officials in recent years. In line with the latest medical consensus on best practice, non-essential treatment was not performed on children with disorders of sex development (DSD) until they were old enough to give their consent. Decisions regarding urgent surgery were made by the child's parents in consultation with medical professionals. New Zealand did not have a legal or regulatory framework in place for gender-assignment surgery for children with DSD because the results demonstrated that the processes in place already addressed the issue.

53. There was a multidisciplinary network of surgeons and endocrinologists who discussed all cases involving concerns regarding a child's gender. In line with international best practice, the default was to avoid surgical intervention. The members of the network were confident that no medical practitioners in that field were working in isolation in New Zealand. They were aware of and supported the evidence-based guidance described in the internationally supported Clinical Guidelines for the Management of Disorders of Sex Development in Childhood and maintained responsibility for the care of children with DSD irrespective of whether they had been referred to a centre in New Zealand or overseas.

54. Gender-reassignment surgery for adults was covered by the provisions of the high-cost treatment pool. Gender-re...signment medical treatment, primarily hormone treatment, was available through District Health Boards. If surgery was sought in that context, it was limited to persons aged 18 years and over. He was not certain whether any persons aged under 18 years had received funding for overseas gender-reassignment through the high-cost treatment pool. It would take some time to gather information on any such cases.

55. **Mr. Coster** (New Zealand) said that, while New Zealand had ratified the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), it had not ratified the ILO Minimum Age Convention, 1973 (No. 138).

56. **Mr. Madi** said that, pursuant to the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), which the State party had ratified, no one aged under 18 years should be employed to perform hazardous work. However, New Zealand legislation allowed children aged 15 years and over to be employed to perform hazardous work.

57. **The Chair** said that he would be grateful if the delegation could confirm that the number of hours that children aged under 16 years were allowed to work was limited.

58. **Ms. Tolley** (New Zealand) said that the Christchurch earthquake on 22 February 2011 had registered 6.3 on the Richter scale. Its consequences had been severe: three quarters of the city had been destroyed and there had been fatalities. The earthquake had occurred during the school lunch hour. Owing to the heroic work of the city's teachers, all but two children had been able to return to their homes that evening, a challenge made more difficult by road closures. Those two children had been taken home by school staff members.

59. It had been necessary to close all the schools in the city because sewerage and water-supply services had been disrupted, and the school buildings had had to be inspected. As the Minister of Education at the time, she had met with school principals, union representatives and the chairmen of the boards of trustees to formulate a plan for the reinstatement of schooling. As an interim system, they had decided to relocate some students to schools that had not been affected by the earthquake, and the students of 12 schools had shared facilities with other schools. Transport for students and teachers had been provided. The interim system had been in place until more permanent arrangements had been made. Social services had hired additional staff to ensure adequate provision of counselling for students and teachers.

60. The Government had allocated several billion New Zealand dollars to a large school reconstruction programme. The process of closing and amalgamating schools had involved several rounds of consultation, and it had been necessary to follow the established procedures because the process was judicially reviewable. Although those affected had initially not all been pleased with the changes, they had since grown to appreciate the result. Counselling was still provided for both children and teachers.

61. **Ms. Aldoseri** (Coordinator, Country Task Force) said that she wished to know whether children had been involved or consulted in the preparation of the response to the earthquake.

62. **Ms. Tolley** (New Zealand) said that, according to her understanding, the boards of trustees had consulted with head prefects. The students of some schools had expressed strong preferences regarding the other schools with which they were to share facilities.

The meeting was suspended at 4.30 p.m. and resumed at 4.55 p.m.

63. **Ms. Muhamad Shariff** (Country Task Force) said that, according to one research project, as many as one in five children starting primary school in east and south Christchurch exhibited symptoms of post-traumatic stress disorder on account of the earthquake. She asked whether the State party had budgeted for the cost of providing ongoing psychological support to children affected by the earthquake and their families; whether it was tracking and monitoring the mental health outcomes of those children; and how the best interests of the children affected had been taken into account during the recovery process.

64. **Ms. Aho Assouma** asked whether statistical data on AIDS had been collected as part of a study conducted by the Ministry of Health, in which case, the data should be specific and disaggregated by sexual orientation. It would also be helpful to know whether there was a mechanism in place to assess the implementation of the State party's numerous policies and action plans. Did the Ministry for Vulnerable Children, Oranga Tamariki, intend to study the phenomenon of children who worked to determine whether they should be classed as vulnerable and whether targeted action should be taken? Had the State party ratified the ILO Worst Forms of Child Labour Convention, 1999 (No. 182)? Which government department was responsible for following up on recommendations relating to the ratification of international conventions?

65. **Ms. Tolley** (New Zealand) said that the decision of the Government of New Zealand to establish the Ministry for Vulnerable Children, Oranga Tamariki, did not detract from the importance that it attached to helping all children living in the national territory reach their full potential and to realizing their rights. The Ministry's bilingual name was in fact a testament to the Government's commitment to reducing the inequalities between Maori and other children. Around 25,000 of the 1.1 million children living in New Zealand were considered to be vulnerable. Child and family affairs had previously been dealt with by an agency reporting to the Ministry of Social Development. The decision to establish the Ministry for Vulnerable Children, Oranga Tamariki, had stemmed from a desire to give greater prominence to the plight of vulnerable children in New Zealand.

66. The Government was in possession of statistical data that showed that children who grew up in families that were dependent on State benefits, had a history of domestic violence, sexual abuse or substance abuse, or whose parents had few or no qualifications or had entered into contact with the criminal justice system were often the most vulnerable. The panel of independent experts appointed to advise the Government as it undertook a complete overhaul of the national care and protection system for children had found that the aforementioned agency had often failed to intervene early enough to prevent children and young people from falling into a situation of vulnerability and that its interventions had often been ineffective. The Ministry for Vulnerable Children, Oranga Tamariki, had a

mandate to intervene and assist families identified as vulnerable effectively and in a timely fashion and to deliver prevention services, care support services, transition support services and youth justice services as and when appropriate. However, the Government was well aware that not all children in New Zealand required that level of oversight. The Ministry for Vulnerable Children, Oranga Tamariki, was also committed to removing the stigma attached to children who had failed academically, entered the juvenile justice system and who had lived in multiple care homes during their childhood.

67. **Mr. Wales** (New Zealand) said that the Government was familiar with the various national and international research projects documenting the ongoing impact of the Christchurch earthquake. As part of the Government's strategy to support the city's recovery, the Ministry of Education was providing additional training and support to the staff of schools attended by children who had been affected by the earthquake to enable them to deal with the problems experienced by those children more effectively.

68. **Mr. Tuohy** (New Zealand) said that another study conducted on the psychological well-being of children due to start primary school in Christchurch had pointed to a lower prevalence of emotional distress within that group, which partially contradicted the findings of the research project mentioned by Ms. Muhamad Shariff. The latter project had drawn on a much smaller pool of children hailing from the most affected parts of Christchurch. While the earthquake had undoubtedly taken a psychological toll on those affected by it, there was still some uncertainty over the number of children actually suffering from post-traumatic stress disorder. The Ministry of Health had assisted local health authorities in providing psychological support services to children and adolescents exhibiting anxiety and symptoms of post-traumatic stress disorder following the earthquake. In the absence of a consensus on the best way to treat post-traumatic stress disorder in children, the Government had devoted its efforts to educating and supporting their parents and teachers.

69. The Ministry of Health, acting through the Health Research Council, contracted the University of Otago to monitor the epidemiology and to conduct research on certain medical and social aspects of HIV and AIDS in New Zealand, which it published in an annual report. The University of Otago also had strong links with national and international organizations working in the area of HIV and AIDS.

70. **Mr. Coster** (New Zealand) said that New Zealand had ratified ILO Convention No. 182 and had adopted legislation to prevent children from engaging in work which, by its nature or the circumstances in which it was carried out, was likely to harm their health or safety. New Zealand had also adopted robust legislation to guarantee workplace health and safety and imposed severe penalties on employers who endangered the well-being of any person at work, including children. Under that legislation, no child could be expected to perform work for which they had not been trained or that was beyond their physical capacity. Labour inspectors conducted regular inspections of workplaces to ensure that they complied with the legislation on occupational safety and health in force.

71. New Zealand had not ratified the ILO Minimum Age Convention, 1973 (No. 138) on account of there being situations in which it could be appropriate or beneficial for young persons to perform paid work. The Government considered the legislation on occupational safety and health and minimum wages in force to afford young persons adequate protection and a decent wage for any work performed.

72. **Mr. Cardona Llorens** said that the delegation should explain the procedure for determining the age of unaccompanied minors and indicate whether it was the same as the procedure used to determine the age of potential victims of trafficking.

73. **Ms. Tolley** (New Zealand) said that, in the interests of accuracy, the Government would submit a written reply to that question within 48 hours.

74. **Mr. Madi** said that, while the Committee understood that the circumstances prevailing at the time had prevented New Zealand from ratifying the ILO Convention No. 138 in its entirety, the Committee would have hoped that, after a period of 23 years, it would have taken some steps towards withdrawing its reservations to the instrument. He urged the State party to give serious consideration to initiating that process in the near future.

75. **Ms. Aldoseri** said that the delegation was to be commended on its impeccable time management and on the richness of the explanations that it had provided on the system for the implementation of the Convention, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. She encouraged the State party to reflect on the comments made by Committee members regarding the Ministry for Vulnerable Children, Oranga Tamariki, and to consider ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The Committee looked forward to receiving the State party's written replies within 48 hours of the end of the meeting.

76. **Ms. Tolley** (New Zealand) said that she was grateful to the members of the Committee for their willingness to engage in an interactive dialogue with the delegation of New Zealand, which had covered a wide range of significant issues concerning children. While the Government maintained that New Zealand was a highly desirable place in which to live and to raise children, it also recognized that a number of children still did not lead the lives that they deserved and was working to remedy that situation. She looked forward to receiving the Committee's concluding observations and recommendations.

The meeting rose at 5.30 p.m.